

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION

CHARLES NANCE

PLAINTIFF

v.

No. 1:19-CV-210-SA-RP

CITY OF WEST POINT, et al.

DEFENDANTS

ORDER OVERRULING OBJECTIONS AND ADOPTING  
REPORT AND RECOMMENDATION

The *pro se* plaintiff, Charles Nance, an inmate in the custody of the Mississippi Department of Corrections, alleges in this §1983 complaint that the defendants have violated his constitutional rights. Specifically, Nance alleges that the defendants have harassed him on multiple occasions because he has a history of interracial relationships and that the defendants' actions are driven by racial bias. Magistrate Judge Roy Percy entered a Report and Recommendation on February 4, 2020. ECF doc. 21. On February 19, 2020, Nance filed Objections to the Report and Recommendation. ECF doc. 25.

The Court finds that Plaintiff's arguments in his Objections lack merit and the objections should be overruled for the reasons stated in the Report and Recommendation, which the Court approves and adopts as its opinion.

THEREFORE, it is hereby ORDERED that:

- (1) the Plaintiff's Objections to the Report and Recommendation of the U.S. Magistrate Judge are OVERRULED;
- (2) the Report and Recommendation is APPROVED and ADOPTED as the opinion of this Court;
- (3) the claims challenging the selective prosecution involving Brittney Williams, the search of Nance's mother's home in 2014 or 2015, Nance's arrest on his cousin's

porch, the incident in which an individual known only as “Will” shot him, and for racial discrimination during the arrest and prosecution of Nance are DISMISSED with prejudice as untimely filed;

(4) all claims against Hoodie Lee, the City of West Point Police Department, and the Clay County Sheriff’s Department are DISMISSED with prejudice;

(5) all claims that the defendants’ actions against several of his girlfriends violated his constitutional rights are DISMISSED with prejudice for lack of standing;

(6) all claims against Sheriff Eddie Scott are DISMISSED with prejudice;

(7) the remaining claims against Officer Terry Scott and Kyle Eve regarding three instances of illegal search and seizure shall proceed.

SO ORDERED this the 9th day of April, 2020.

/s/ Sharion Aycock  
UNITED STATES DISTRICT JUDGE